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# The Southern Frontier

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# Is The South's 20% Democracy Enough?

**That's the Estimate of Voting in the Poll Tax States. The Poll Tax, Although Not the Only Cause, Is a Main Obstacle to Fuller Political Expression in the South.**

**By Stetson Kennedy**

In 1944 there were an estimated 14,500,000 potential voters in the eight poll tax states,* but only 2,700,000, or 19 per cent, of them voted. In contrast with this, 57 per cent of the potential voters in the free voting states took part in the election. In the 1940 election, 22 per cent of the potential voted in the poll tax states ,as compared to 82 per cent in the free voting states. Taking 82 per cent as a maximum, it follows that 8,698,560 possible voters did not cast ballots in the poll tax states in 1940; in the 1942 election, the total of "unused" ballots rose to 10,000,000.

However, even when the 57 per cent 1944 wartime free state vote is taken as a maximum, it means that 5,500,000 did not vote in the poll tax states that years. The ratio of whites to Negroes not voting is approximately three-to-two.

Some have argued that in the Solid South the Democratic primary provides the real contest, and that it draws a heavier vote than the general election. At least the latter half of this proposition is incorrect. In 1944 the total primary vote in the eight poll tax states was 1,334,000, as compared to 2, 767,000 votes cast in the general election. In other words, the primary vote was less than half the general election vote, or 7.7 per cent of the potential as compared to 19 per cent. It should be remarked, however, that of the 79 Congressional districts in the eight poll tax states, 25 did not conduct primaries in 1944 and in 15 others the primary candidates had no opponents. In 36 districts the Democratic nominees were unopposed in the general election.

### Deliberate Disfranchisement

That the poll tax is intended to be a means of disfranchisement rather than a fiscal measure or financial 'test' is conclusively demonstrated by the fact that advance notice of its being due is seldom, if ever, given either publicly or individually and once the deadline for payment has passed the state makes no effort to collect the tax. The constitution of Mississippi, as a matter of fact, expressly provides that "No criminal proceedings shall be allowed to enforce the collection of the poll tax." If the poll tax were a bona fide attempt to raise funds, there is no reason why it should not be collected, as is being done in North Carolina and 23 other states, without making denial of suffrage one of the penalties for non-payment.

### Not for Revenue

Facts do not bear out contentions that the poll tax has any substantial value as a fiscal measure. The all-time high percentage of a poll tax state's revenue obtained from this source was only 1.8 per cent, collected by Virginia in 1937. Alabama, a more typical example, derives only 0.6 per cent of its revenue from the poll tax.

Equally unsubstantiated is the allegation that the poll tax makes an important contribution to education. In none of the poll tax states does the tax provide as much as five per cent of the state's educational fund. The Birmingham Teachers Association resolved in 1945, "Although the revenue received from the poll tax goes to education in Alabama, the oligarchic practice should no longer be allowed to stifle the achievement for which education exists — freedom to act wisely. It will mean more to education in Alabama to have the citizens we have trained take part in the settling of political questions than to receive the pittance from the tax and then see the vital matters of the state decided by only 10 to 30 per cent of the people, many of whom have been prodded by political leaders to dig up the price of the tax."

**This is the first of a series of articles on suffrage in the South by Stetson Kennedy, whose book on present-day conditions in the South, "Southern Exposure," is scheduled to be published by Doubleday, Doran next spring. Mr. Kennedy is the author of "Palmetto Country." He is a Floridian and now lives in Atlanta. SRC is preparing an illustrated leaflet, based on Mr. Kennedy's articles, which is to be published soon for wide distribution.**

In 1943 Justice Neil of the Tennessee supreme court said, "The point is made that the revenue derived from poll taxes must be set aside as part of a sacred fund and shall not be diverted to any other purpose. . . . This is a pure fiction. It is a well-known fact that there has been no such fund in existence for more than fifty years. The legislature has not thought of the poll tax as a source of revenue for school purposes and set it aside as a separate fund for more than a generation."

### The Real Reasons

Judicial recognition of the real nature of the poll tax has likewise been forthcoming from other states. For example, the Supreme Court of Appeals in Virginia has held* that the imposition of the poll tax was not intended primarily for the production of revenue but to limit the right of suffrage. Similarly, a subcommittee created by the Virginia Advisory Legislative Council (an official body created by the legislature) reported in 1941 that:

"The poll tax requirement was introduced into the present constitution for the express purpose of serving as a restriction on the free exercise of the suffrage; and it continues beyond any reasonable doubt to constitute a restriction in practice. The most cursory study of the proceedings of the constitutional convention of 1901 will easily establish the frank intention of those who introduced the poll tax stipulations into the constitution; the Supreme Court of Appeals has expressly declared that the primary purpose of the poll tax is to serve as a restriction on voting; and abundant statistics, to reproduce which would be a work of supererogation, prove in fact what everyone knows — that the legal restrictions on the suffrage operate effectively in practice."

The nature of the opposition which brought such crushing defeat to the efforts to persuade Alabama to repeal her poll tax is indicative of what state actionists are up against.

With the electorate reduced by the poll tax to a very small percentage of the potential voters, correspondingly small sums are sufficient to corrupt it. Although most poll tax states have laws against paying another person's poll tax, the penalties are ridiculously small. For example, a Virginian convicted of illegally paying

*"Potential" voters here means all persons of voting age. The eight poll tax states were Alabama, Arkansas, Georgia, Mississippi, South Carolina, Tennessee, Texas and Virginia. Georgia repealed its poll tax in February, 1945.

**Campbell* v. *Goode*, 172 Va. 463, 2S.E. (2d) 156.

(*Continued on page* 4)

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*To attain through research and action programs the ideals and practices of equal opportunity for all peoples in the region.*


## EDITORIAL

THE RESULTS of a recent Gallup poll of opinion on FEPC-type legislation reveal some general trends that are well worth analyzing. More important perhaps than the question of whether we shall ever have such legislation on a national scale is the indication that we may expect a growing tolerance and understanding for the ideal of equal job opportunities. This is suggested by the fact that people under thirty showed greater acceptance (55 per cent for, 34 per cent against) of FEPC principles, which may be hopefully interpreted to mean that older heads with older prejudices will in time give way to the more democratic thought of younger generations.

Another significant result of the poll lies in the report that manual workers favor the ideals embodied in FEPC legislation by a promising majority — 52 per cent compared with 35 per cent opposed. This and the indication of greater tolerance in younger people suggests that appeals for better race relations and for extension of Democracy to the Negro will receive more sympathetic attention from these groups.

The conclusion is that greater efforts should be made to sow the seeds of truly democratic thinking on this more fertile soil. Yet it follows, too, that strong efforts must be directed at the other groups, though the results will probably be proportionately less. The poll showed that business and professional people, white collar workers and farmers were generally opposed to FEPC or anything like it. It is a good guess, however, that the first of these objected on "individualistic" rather than racial grounds; farmers showed the greatest opposition for the nation as a whole.

The South, of course, revealed the strongest opposition — 60 per cent against, 30 per cent for — but even the nation-wide results showed a bare majority against laws of the FEPC type, and only the New England and Middle Atlantic section returned a majority — 58 per cent — in favor of such legislation, with 31 per cent opposed.

# Phi Beta Kappa Members Debate Action on Segregated Schools

Dr. Broadus Mitchell, Acting Director of Research for the International Ladies Garment Workers Union, and Virginius Dabney, editor of the *Richmond Times-Dispatch*, debate in the autumn issue of Phi Beta Kappa's *The Key Reporter* whether the society should deny charters to colleges which do not admit Negro students.

Dr. Mitchell suggested in a letter that Phi Beta Kappa, before granting a charter, "demand that a condition for receiving one be that no discrimination on account of race, creed, color or national origin be practiced." He based the suggestion on a recent resolution by the Senate of Phi Beta Kappa which said, "The Senate would deplore in colleges holding or applying for charters of Phi Beta Kappa discriminations affecting the faculties or student bodies in such a way as to limit the spirit of free inquiry and teaching."

Mr. Dabney, in a reply letter written at the request of *The Key Reporter*, said "if would be unwise for Phi Beta Kappa to forbid the establishment of any future chapters at institutions which are operated for one race only. . . . The question . . . is whether . . . pressure of the sort proposed by Dr. Mitchell would be helpful or harmful. . . . Today many white Southerners are trying to work out the horribly complex race problem to the mutual benefit of both races and the nation. . . . It cannot be stressed too often, however, that as far as the South is concerned, the worst way to promote a fair deal for the Negro—and it must be freely conceded that he has not had such a deal —is through the application of drastic pressure from outside the South. This may seem silly and even outrageous to those who are unfamiliar with the situation, but is is indisputable."

## Georgia Committee Announces Affiliation with SRC

The Georgia Committee on Interracial Cooperation announced this month its affiliation with the Southern Regional Council. The announcement said: "Our cause is strengthened by this affiliation. In matters of general concern, the program of the Council and the Georgia Committee is one. We urge our members to cooperate with the Council in its efforts for a better South."

R. L. Russell of McDonough is state director and George Clary of Savannah is chairman of the Georgia committee.

The committee's news letter reported that the Gainesville committee of the Georgia committee was organized by State Chairman Clary last month. The Gainesville committee started with 33 members. Urging members to help the State committee attain its goal of 10,000 members, the letter reported also that the Fulton-DeKalb committee had reached a membership of more than 200 and that the Augusta committee was steadily increasing membership.

### All-Negro Juries Recommended

Charles H. Garrett, Bibb County (Macon, Ga.), solicitor general, has advocated all-Negro juries for trying murder cases involving Negro defendants. Garrett was reported by Associated Press as saying he believed Negro jurors would take more interest in the trial of a Negro homicide case than an all-white or even a mixed jury. He said that under the present system of obtaining jurors, however, it would be almost impossible to get an all-Negro jury. "If it were possible to have two jury boxes, one with Negro jurors and the other white," Garrett said, "I would try all white cases before the white jurors and all Negro cases before the Negro juries."

## Baptist Writer Hits "Ham" Legend In Attack on "Home-Made Myths"

The old, hard-dying misconception of the Bible story of Ham as a rationalization of race prejudice was struck another blow by R. Lofton Hudson in the *Tennessee Baptist Reflector* last month, along with other "home-made myths" about the Negro.

"Many are saying these days that the South's number one moral problem is the Negro," wrote Mr. Hudson. "It is a problem for the North and East also, but our first concern is on our own doorstep. . . ."

The misconception that the Negro is a descendant of Ham was dismissed by Mr. Hudson as "unscriptural, unscientific and unjust." He also attacked the fallacious notions that the Negro race is biologically inferior, that Negroes want "intermarriage" and that Negroes have the same opportunities as white persons. "In 1940, in nine Southern states," he told his readers, "the average annual expenditures, for education, per white student, was $58.69, and only $18.82 per Negro."

### Education Group Publishes News-Letter

The Committee on Southern Regional Studies and Education published in September the first issue of *Resource-Use Education*, a news-letter on the committee and its work. The first issue was on the subject, "Educational Action Regional Style."

The address of the committee is Committee on Southern Regional Studies and Education, P. O. Box 1078, Chapel Hill, N. C.

**Alabama Negro students** will be aided in taking graduate and professional training in other states by a $25,000 annual fund made available this month, an announcement from Montgomery reported.

# Black GI Joe Comes Home

*By Rufus E. Clement*

President, Atlanta University

TWO days ago I heard a story. We were lounging comfortably around the table after Sunday dinner when —the conversation having turned to the war and related subjects—the hostess told us a short, simple story about a World War II veteran who had been invalided home to the States.

Our hostess had gone to visit this soldier. He had been sent back so that his broken leg could mend and his shattered nerves be rested. She had been his teacher in high school; she had remembered him as a quiet, even-tempered, well-mannered youngster, the elder of two sons of an upper middle-class American family.

In the conversation with his former teacher the recuperating soldier would not talk about the war. He preferred to talk of school, and of what had been going on at home during his and his companions-in-arms' absences. He had seen a buddy earlier in the day. He told the teacher how his buddy, a soldier home on furlough, had been riding in an elevator in a large downtown office building; how a civilian rudely and loudly had commanded him to remove his service cap as he rode up in the elevator; how the soldier-on-furlough did as he was ordered to do by the civilian. And then the invalided soldier calmly added: "But *I* would not have taken off *my* uniform cap. There was a time when I might have done so, but now I know that I would not. And I would not have been afraid, either."

When the simple story was finished, no one moved; each of us sat with his own racing thoughts. Some of us knew the soldier who had talked with the teacher; we knew him as the quiet, gentlemanly schoolboy of 1940. All of us realized the seriousness of the situation revealed by the story: the wounded veteran was a Negro; the large office building was located in a city of the deep South; the soldier-on-furlough was also a young Negro; and the voice that had peremptorily demanded that the cap be removed was that of a native white person. What would have happened, each of us wondered, if the soldier on the elevator that day had been the boy who had been wounded in Italy.

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### The Realities

As we stand now at the end of World War II, we must recognize the fact that the return of the Negro soldier and his readjustment to civilian life will not be easy. There will be many who will have been made emotionally unstable by the war; there will be men whose mental approaches have been changed. These latter are likely to be more sensitive of the treatment they receive and consequently more resentful of any illogical and undemocratic restrictions which may be placed upon them in a community. In a conscientious effort to avoid strife we should be willing to face the situation frankly and begin to devise ways and means through which mutually beneficial relations may be established.

Make no mistake about it—the questions centering in the relations between races constitute one of the major areas of conflict in our present world. As these questions relate to the United States and its position of world leadership they are packed with dynamite. And this is particularly true with reference to the Negro soldier and his relationship to his home community upon his return from the war.

We already have evidence that thousands of soldiers will be mentally and emotionally unstable as a result of terrible battle experiences. We have called upon men to undertake the greatest and most cruel war in the history of mankind. We have subjected them to sufferings and hardships beyond the real comprehension of the stay-at-home civilian. Our newspapers are beginning to report many cases similar to that which occurred recently in Detroit, where two ex-service men were arrested after they had broken into a restaurant and robbed it of cash and merchandise. Henry Ford came to their rescue. These two men were sympathetically treated, and rightly so. But these soldiers were white, and their crime had no "racial" angles. What would have happened had this same crime been committed by two Negro soldiers suffering similarly from emotional upsets induced by the war? How would the local newspapers have treated the story? How many persons would have decided at once that skin color or racial ancestry, instead of war neurosis, was responsible for the lapse into which these men fell?

Approximately one million Negroes have served in the armed forces of the United States. Thousands of these men (and some of the women) served on our major battlefronts overseas. An entire Negro infantry division fought with General Mark Clark's Fifth Army in Italy; another infantry division was in combat in the South Pacific. Negro units, attached to otherwise white divisions, have seen service in every American campaign of this war.

Some thousands of these Negro members of the armed forces are commissioned officers. As such, they have had to understand what the war is about. They have been indoctrinated in the basic tenets of the democratic philosophy of government. They have responded with an appreciation of their native land as the finest and the greatest country in the world. In turn these men and many of the white officers serving with Negro troops have worked hard to inculcate in the hearts of those they command a spirit of loyalty and love of country. The Declaration of Independence, the Constitution of the United States, the speeches of the patriots and of the founding fathers have been used in the re-education of these black Americans. Latter-day Americans like Lincoln, William Jennings Bryan, "Teddy" Roosevelt, Woodrow Wilson, Wendell Willkie and Franklin D. Roosevelt have been quoted in showing these soldiers-of-color that this America, with its ideals of liberty and justice and opportunity, is their America also—theirs to defend and, if God wills, to die for!

Now these thousands of Negro soldiers are marching home. And expectantly! What will their reception be? Will men yell at them, demanding that they take off their hats in elevators when no other men remove theirs? Will they have the right, as men who will submit to the authority of their representatives in government, to cast a vote to help decide who these representatives and governing officers shall be? Will they be given jobs on the basis of their ability to do honest and acceptable work? Will they be understood if they return with battle shock still dogging at their nerves? Will they be American citizens in the country they suffered for and risked death to defend? Will they, in America, be treated better or worse than nationals of the late enemy countries? Is the Negro soldier expected to fight for democracy so that every one but himself may enjoy it? These are questions which all of us must now seriously prepare to answer.

### The Expectations

The conservatists may well ask, "Well, what *does* the Negro expect? What does he want?" All of us who are interested in human freedom, all who are interested in a lasting peace, may do well also to ask these questions.

America's treatment of the Negro is more than a sectional or even a domestic (i. e., national) question. The war has shown us clearly what some of us knew beforehand: that there are many nations and people in the world who remain skeptical of the American's faith in Democracy, who are not ready to accept America's leadership because of America's treatment of a large part of her population.

We must realize there is great likelihood that we shall forfeit "the reservoir of good will" which our unselfishness in World Wars I and II has built up for our nation unless we, *by our actions*, convince the two-thirds of the people of the world who are not white that America believes in human equality. Our post-war treatment of the Negro will be the test which we must pass. It is important that all good Americans, Negro and white, prepare to face this issue, for as each of us makes an unsatisfactory or a satisfactory re-

sponse to this question may our nation fail or succeed.

As free men, citizens in a Democracy which they have suffered to defend, the Negroes in our nation have a right to expect certain things, chief of which are the following:

(1) that they be given opportunities to work and to advance in their work according to their skills, their industry, and their productivity;

(2) that they be afforded the same chance to secure an education (and all types of education) at public expense that any other citizen is given;

(3) that they be permitted to participate in government under the same qualifications (and restrictions) placed upon other men;

(4) that they are not denied any of the benefits of government;

(5) that they receive justice in the courts;

(6) that the nation abolish all discriminations in the treatment of its citizens when such discriminations are based on creed, race or color.

### The Dilemma

From personal observation and experience, I am of the opinion that a vast majority of the American people would readily agree to the first five of the aforementioned expectations as being just and also as being possible of early attainment. There will be some dissenters here and there. I do not want to risk a judgment on the attitude of the American people on the question of the abolition of racial discriminations. There are yet among us many who will call themselves democratic and Christian, but who at the same time will argue that "this is a white man's country" and that they "intend to keep it so."

Wherever racial segregation is legalized, two things invariably result: the first is that rank discriminations become a part of the pattern of social action; the second is that persons who themselves are struggling for status take refuge and try to obtain some satisfaction in "superior" skin color. The racist might consider the acceptance of point six, above, if he realized how little the Negro desired racial amalgamation into the white group; that there is no deep-seated desire for intermarriage with the non-Negro. As Westbrook Pegler recently pointed out in his syndicated column, Negroes want to eat in the restaurant where the white person eats because Negroes are hungry. Pegler might have added that the segregated (Jim Crow) restaurant is generally far removed from the centers of traffic and is likely to have so few regular patrons that the proprietors have found it uneconomical to provide much of a choice of food. It is also likely to be housed in an old building (lower rent!) and be listed as Grade C or D by the local health department. (In areas where legal segregation exists few middle- and upper-class Negroes eat away from home.)

A country which discriminates against its citizens because of their race or color certainly degrades its own spirit. It puts a false value upon a biological incident and at the same time issues an invitation to every frustrated person of the "superior" group to take advantage of his "inferior" neighbor. Such a country should not call itself a Democracy, and assuredly it is not a Christian nation. There are millions of persons in the world who would say that it has no moral leadership worthy of the name to offer to an upward struggling humanity.

### New Directions

If we are to have peace in America, the Negro, also, must look to his shortcomings. He cannot accuse his white brother of being prejudiced and all the while retain his own racial animosities. I know too many Negroes who are suspicious of *all* white people. These are men who must come to realize that a Negro's generalizations on the race question are just as fallacious as are the white man's. Suspicion is akin to distrust, and distrust is the companion of dislike; dislike leads to friction, which in turn engenders strife. All men must trust one another if we are to avoid senseless hatreds, unrest and trouble. The Golden Rule is as compelling from one side of the color line as it is from the other. The Negro must be a brother to other men if he expects to receive brotherly treatment.

The Negro must realize that there is an increasing number of intelligent and liberal white people in America, thousands of whom reside in the South, who are friendly to the Negro's desire to achieve first-class citizenship. The abolition of the poll tax in Georgia; the fact that Negroes voted in the recent Democratic primaries in Arkansas and Alabama; the statement of Governor Sparks of Alabama with respect to the right of properly qualified Negroes to vote in the Alabama primaries; the rise of the more liberal Southern political leaders like Governor Arnall of Georgia, Senators Pepper of Florida, Hill of Alabama, and Fullbright of Arkansas all indicate the changing character of southern leadership.

The Negro should realize that these men and their kind are intelligent statesmen who know that the United States cannot continue to be concerned about the lack of Democracy in Greece and close its eyes to the undemocratic treatment the Negro, the Japanese-American, and some other groups receive in this country.

Wise people know that deep-rooted social attitudes cannot be resolved by force, and there is a great number of wise Negro leaders in America. These men and women are not proverbial "Uncle Toms." They will continue to demand full citizenship for their people; they will advocate the use of every legal means to secure this status; they will not advocate nor will they support a resort to violence. Race riots in America have not been incited by Negro leaders.

Notwithstanding contradictory evidence which might be produced, the American white man is fundamentally a person who desires to do the "right" thing. He prides himself upon his fairness and his willingness to play the game by the established rules. He prides himself upon the fact that upon this continent his ancestors founded a nation dedicated to liberty and freedom for all. Slowly he is beginning to see that this is not now wholly the "land of the free." People who know America understand that time, the American creed, and the American's conscience are gallant allies fighting against undemocratic practices in our nation.

No good American need stand helplessly by, waiting for strife to develop. Editors of newspapers may be constructive in their treatment of the news and in their editorial policies, remembering that they are great moulders of the public mind. Ministers and laymen of the church should begin now to emphasize the Christian approach to race relations, with special emphasis on human brotherhood and equal justice for all. Local law enforcement officers must be interested in keeping the peace and in carrying out their duties impartially. Higher government officials, like the mayors of cities and the governors of states, should lend their moral as well as their legal support to every government and social agency which concerns itself with the problem of the readjustment of the ex-service man. Business and industrial leaders can be thinking of the ways in which they may use their employment policies to improve race relations. The average man—each of us—may decide that he will be just and reasonable and tolerant in all of his human relations. By a united national effort we assuredly may ease the tensions and greatly decrease the probability of interracial strife.

Loyalty to America, for Negro citizens as well as for white, means more than lip-service to its ideals, a salute to the flag, or large purchases of war bonds. Loyalty demands that we attempt to translate our nation's ideals into day-by-day deeds; that we know that every man is innocent of an alleged crime until he is proved guilty by a jury of his peers, no matter who his accuser may be; that a nation such as ours can only survive if all the people consider the common good superior to the individual gain; that each man has a moral obligation to make himself acquainted with the problems of his community and to work for the solution of those problems; that our country is large enough and rich enough for every one of its citizens to be given a fair chance to earn a living and to maintain a minimum standard of decent living as a result of his own toil; that tolerance and brotherhood are not world- or nation-wide until they are lodged in the single human life. When the black and white and yellow and brown American soldiers come home again they will find a situation for which you and I must assume responsibility. What kind of homecoming may they expect?

**Southern Regional Council, Inc.**
**63 Auburn Avenue, N. E.**
**Atlanta 3, Georgia**

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100 copies, $1.00

## Louisiana Vote Case Dismissed As Court Battles Continue

Judge Caillouet last month dismissed without opinion the complaint filed in the case of Edward Hall against the registrar of voters in St. John the Baptist Parish, Louisiana. The complaint alleged that Hall, a qualified Negro, was denied the right to register by T. J. Nagel, registrar, who subjected Hall and other Negroes to tests not required of white registrants.

The complaint on behalf of Hall and other Negro citizens asked for a declaratory judgment, an injunction and $5,000 damages. NAACP lawyers are preparing to appeal the case to the United States Circuit Court of Appeals for the Fifth Circuit.

In a similar case from Tuskegee, Alabama, filed on behalf of William P. Mitchell against local registrars of Macon County, Alabama, argument on motion to dismiss took place in federal court in Montgomery on September 20th. Counsel for the registrar, including former Judge "Speed" Callaghan, judge of the Scottsboro trials, argued that the federal court did not have jurisdiction to consider a case on the refusal to register Negroes because of race or color. He argued that the case should be tried in the local state courts. After completion of the argument, the case was taken under advisement and a decision is expected within two weeks.

In Atlanta, Ga., it was discovered that although the case filed by the NAACP against the local registrar brought about the sending of the lists of Negro voters to the precinct polls on election day, September 5th, nevertheless election officials refused to permit Negroes to vote in the "white primary." NAACP lawyers are preparing for filing additional cases against the local election officials. At the same time, they are insisting that the Department of Justice prosecute these election officials for violation of federal statutes.

### SRC Commended by Education Group

The Intercultural Education Workshop of the University of Minnesota recently commended the Southern Regional Council for "the stimulation given to good inter-group practices."

"We are sincere in our appreciation of your many attempts to perpetuate and make more meaningful the American creed of freedom, equality and brotherhood," the formal commendation stated.

**"The South Can Produce,"** was the title of a recent editorial in the *Atlanta Journal* commenting on the wartime increase of car-loadings of freight in the Southeast. Statistics showed that loading of canned goods rose from 8,386 cars in 1939 to 44,295 in 1944; pulp and paper products averaged 93,831 cars a year during the four war years, compared to 77,390 in 1939; grain products increased from 56,029 cars in 1939 to 81,184 in 1944.

# What About Human Equality?

**By W. Hardin Hughes**

IN COUNTLESS WAYS, men are unequal. White people are no exception to the rule. They are tall and short, weak and strong, intelligent and idiotic, cultured and uncultured, saintly and sinful. With respect to every measurable characteristic, they cover the entire scale. Other peoples — black, brown and yellow — are correspondingly dissimilar among themselves. The principle of individual differences, in short, applies to every people of the globe.

But why elaborate the individual differences of men; differences which are as much in evidence in one race as in another! Are not the common aspects of human nature and of society at least as important as the variables? The common needs, the common values, the common goals—these are the equalities in question. Everywhere, the commonality of mankind is unmistakable. The races are so similar as to be rightly classified as a single species. The same physiological principles apply to all.

Likewise, the same psychological factors need be taken into account in any scientific analysis of human conduct and relationship. Everywhere and in all time men strive, however blindly, for the realization of certain human values. Whether happiness is **the** universal goal, or whether it is the natural accompaniment of the good life, it is nevertheless **a** universal goal. Furthermore, neither happiness nor unhappiness can be segregated. Unhappiness anywhere in society has its unhappy effects elsewhere. No majority, however numerous and powerful, can insure its own continuous happiness by restricting the happiness of others. The Golden Rule has become a social necessity.

An essential condition of happiness is freedom. From earliest infancy, men respond unhappily to arbitrary and unnecessary, and especially to inequitable, limitations of freedom. Necessary limitations are in a different category, but they must be recognized as equitable. There is no greater source of unhappiness in the family, the community, the nation, and in the family of nations throughout the world, than the feeling on the part of some members that they are discriminated against. Discriminations are always violations of human freedom.

Correspondingly universal is the common need for security. If happiness is to be realized in any considerable measure, freedom and security must go hand in hand. Unlimited freedom would inevitably lead to insecurity; while absolute security would invalidate the very conditions under which progress and happiness are attainable. Men need, however, to be secure in their physical lives and in the economic possibilities for sustaining them. They need, furthermore, to be secure in the common rights to "liberty and the pursuit of happiness" guaranteed, at least on paper, by the supreme law of the land. Like happiness and freedom, security cannot be segregated. There can be no sharp line of demarcation between those who are secure and those who are insecure. A state of insecurity anywhere endangers security everywhere.

No less important is the need for social identification. Beginning in early childhood, the individual develops a feeling of "consciousness of kind," and a sense of oneness with his primary group. These early experiences, similar as they are throughout the world, account in large measure for the common ethical ideals of mankind. The in-group characteristics—mutual aid, fair dealing, truthfulness, sympathy, loyalty, and the like—become the ethical bases for all religions. Only in a society in which there is mutual identification of its members can there be a full realization of these ideals. Mutual understanding and a true "consciousness of kind," in the words of Giddings, "make group life possible, create loyalty, ability

(*Continued on page* 4)

### Negro Policewomen for South Carolina

The campaign for Negro police officers made a small gain in South Carolina when Columbia's police commissioner, Gary Paschal, announced that two Negro policewomen would be appointed this month, at the same rate of pay as white policewomen. *The Carolinian,* published at Raleigh, N. C., reported that the women would perform the same duties as other women on the force: with the title of "truant officers," they will supervise school traffic at dangerous intersections and when possible check on truancy.

**A total of 4,829 Negro students** completed college courses during the 1944-45 school term, NAACP's *Crisis* magazine reported after a recent survey.

### Court Rules Negro in Demo Party

Circuit Judge Joseph H. White, West Palm Beach, announced last month that he would issue a writ directing the county registration supervisor to list J. H. Terrell, Negro dentist, as a member of the Democratic Party. The decision came after a hearing, pending since March, in which Terrell complained in a petition that he had been denied registration as a Democrat.

**Forty-one Negroes** were among the 184 students who qualified for the Amos Lewis scholarship loans of $400 a year, Florida superintendent of schools Colin English announced recently. Students under the Lewis scholarships give notes for each year in return for the $400, and one note is cancelled, after graduation, for each year of service as a teacher.

### THE COST OF VOTING IN DOLLARS AND DAYS' WORK

| State | Annual Poll Tax Payment | Maximum Poll Tax Payment | Per Capita Income, 1940 | No. of Days' Work to Pay Poll Tax for Man and Wife Who Are 1 Year Delinquent |
|---|---|---|---|---|
| Alabama | $1.50 | $36.00[1] | $268.00 | 6¾ |
| Arkansas | 1.00 | 2.00 | 247.00 | 5 |
| Mississippi | 2.00 | 6.00[2] | 220.00 | 11 |
| South Carolina | 1.00 | 1.05 | 287.00 | 2¼ |
| Tennessee | 1.00 | 2.58 | 320.00 | 3 |
| Texas | 1.00 | 1.75 | 423.00 | 2½ |
| Virginia | 1.50 | 5.01[3] | 455.00 | 4 |

[1] Cumulative from age 21 to 45.
[2] Cumulative 2 years; counties can levy another $1.
[3] Cumulative 3 years.

**While the amount of the poll tax may seem insignificant to persons in the upper income brackets, its discriminatory and even prohibitive nature stands out clearly against the background of per capita income. If the poll tax were levied on the basis of earnings, the upper income groups would more fully appreciate the burden the tax imposes upon the poor.**

## 20 Per Cent Democracy

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thousands of poll taxes may be fined as little as five dollars. That political machines and corporate interests frequently purchase large blocks of poll tax receipts for distribution to those who will promise to vote according to instruction is a matter of common knowledge. The Governor of Virginia frankly recognized this situation in a speech in 1940.

### How to Get Rid of It

Georgia, under the leadership of Governor Ellis Arnall, abolished its poll tax statute in 1945. But in the remaining seven poll tax states the tax can only be repealed by amendment of the state constitutions, which requires a two-thirds (in some states three-fifths) majority of the legislature and then approval by a majority of voters in the next election. The obstacles which stand in the way of poll tax repeal by these states are formidable indeed.

In Tennessee the constitution makes the heads of the people "liable to" a poll tax of "not less than 50 cents nor more than one dollar." It remained for the legislature to enact a statute imposing a specific tax. In 1943 the legislature repealed the poll tax statute, only to have the State Supreme Court, in a three-to-two decision, hold the repealer invalid on the ground that "This constitutional mandate has been so 'welded into intimate and permanent union' with the statute that the two have become indivisible, and the statute may not now be divorced or destroyed."

Chief Justice Green, dissenting, said "If a constitutional provision requires the support of a statute in order to operate, it cannot function when that support is withdrawn — when the statute is repealed. The legislature has power to repeal any statute unless restrained by some limitation of the constitution." Justice Neil, likewise dissenting, added, "We are here faced with the incongruity, if not absolute absurdity, of being called upon to yield obedience and *compel* obedience to a statute that has been repealed — such a thing is unknown to the history of English and American jurisprudence."

Legal action has been taken to determine whether or not the repealed Tennessee poll tax statute can be enforced. Also, the State's 1945 legislature passed an amendment abolishing the constitutional reference to a poll tax; but this amendment must wait for approval by the legislature "next to be chosen" and subsequently by popular referendum.

In South Carolina, only one dissenting vote was cast against a poll tax repeal amendment in the 1945 senate, but it was bottled up in the house.

In Alabama, the 1945 house voted 70 to 27 against abolishing even the cumulative feature of the poll tax, despite the fact that Governor Chauncey Sparks, Senator Lister Hill, Representative Luther Patrick and other Alabama leaders called for total abolition of the tax. Senator Hill boldly proclaimed that the poll tax in his state was the "most burdensome, restrictive, indefensible, and undemocratic" of them all. and Representative Patrick added that the tax is "perhaps the worst enemy to public schools existing in the South."

Of course the states have a perfect right to abolish the poll tax themselves, and if they can all beat Congress to the gun, so much the better. But to argue that the states alone have the right to repeal the poll tax is all wrong. For the poll tax has been a ball-and-chain on the Nation no less than upon the South. The voting record of most poll tax Congressmen speaks poorly for itself. The turnover among Congressmen from free voting states has been about 70 per cent greater than among those of the poll tax states. By virtue of seniority the latter have garnered about three times their proportionate share of dominant positions on House committees, and twice their share on Senate committees.

The fact that the right to vote for Federal officials stems from the Constitution, and is subject to Congressional control, has been repeatedly pointed out by the Supreme Court: "The right to vote for Members of Congress is not derived from the constitution and laws of the state in which they are chosen, but has its foundation in the Federal Constitution (*Minor* v. *Happersett*) "and was not intended to be left within the exclusive control of the states" (*Yarbrough*), and "Congress, by appropriate action, may protect such right" (*United States* v. *Moseley*).

Of course, Congress can only free the vote for Federal officials; state action will still be needed to free the vote for state officials. And so while state repeal of the poll tax is the ideal and ultimate solution, the people of the poll tax states, having been denied a free vote for almost half a century, are now entitled to the aid of Congress. Far from regarding a Federal law abolishing the poll tax as outside interference, many Southerners agree with Florida's Senator Claude Pepper, who upon introducing his anti-poll tax bill said, "I have offered it as a sincere expression of the belief that if we are going to preach and fight for democracy in the world, the best thing for us to do is to show a good example of it here at home."

(*Next month: the White Primary*)

**Possibility of a constitutional amendment outlawing the poll tax as a prerequisite for voting in Federal elections was foreshadowed in an Associated Press report from Washington this month. Senator Bilbo said that he would not filibuster against such an amendment; and Senator George said the submission of the matter to the states for ratification was "the proper approach." Their statements followed the Senate Judiciary Committee's decision to send to the Senate a house-approved bill forbidding collection of poll taxes as a requirement for voting on Federal offices and a resolution by Senator O'Mahoney of Wyoming for a constitutional amendment. Senator Taft predicted that most Republican senators would favor the amendment method, which requires approval by the legislatures of 36 states.**

## What About Human Equality?

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to stand together, to meet the enemy together, to deal with catastrophes together, to fight pestilences and famines, to build up the industries of the world; in short, to build up all civilization." And no nation, we may add, is at all prepared to identify itself with the family of nations before it has reduced to a minimum the artificial obstacles to mutual identification at home.

America needs today, as never before, the wholesome and full contribution of all her people. Equality, not of achievement but of opportunity, is a basic principle of our democracy. We do not expect the musically untalented to become composers nor persons of low mentality to become scientists and statesmen; but we do feel the justice of allowing the possessors of good capacities anywhere, at whatever level, the fullest opportunity to develop them into their own peculiar best. Only the ignorant and the short-sighted deliberately block the legitimate accomplishments of their fellows.